



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,517	08/18/2008	Keiichi Taguchi	88534.0019	8069
73230	7590	01/12/2011		
DLA PIPER US LLP 1999 AVENUE OF THE STARS SUITE 400 LOS ANGELES, CA 90067-6023			EXAMINER HYDER, G.M. ALI	
			ART UNIT 2852	PAPER NUMBER
			NOTIFICATION DATE 01/12/2011	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

laura.rivero@dlapiper.com  
laccusptomail@dlapiper.com  
cliff.keyner@dlapiper.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/571,517	<b>Applicant(s)</b> TAGUCHI ET AL.	
	<b>Examiner</b> G.M. HYDER	<b>Art Unit</b> 2852	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-53 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **REQUIREMENT FOR UNITY OF INVENTION**

As provided in 37 CFR 1.475(a), a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept (“requirement of unity of invention”). Where a group of inventions is claimed in a national stage application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression “special technical features” shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The determination whether a group of inventions is so linked as to form a single general inventive concept shall be made without regard to whether the inventions are claimed in separate claims or as alternatives within a single claim. See 37 CFR 1.475(e).

### **WHEN CLAIMS ARE DIRECTED TO MULTIPLE CATEGORIES OF INVENTIONS**

As provided in 37 CFR 1.475(b), a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:

- (1) A product and a process specially adapted for the manufacture of said product; or
- (2) A product and process of use of said product; or

Art Unit: 2852

(3) A product, a process specially adapted for the manufacture of the said product, and a use of the said product; or

(4) A process and an apparatus or means specifically designed for carrying out the said process; or

(5) A product, a process specially adapted for the manufacture of the said product, and an apparatus or means specifically designed for carrying out the said process.

Otherwise, unity of invention might not be present. See 37 CFR 1.475(c).

### **Election/Restrictions**

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-8, 12, drawn to an image forming apparatus wherein the technical feature of the claimed invention is timing for moving a predetermined developing unit to the attach/detach position when an event occurs in which development can not be performed by the predetermined developing unit is different for when the image forming apparatus is being used as

Art Unit: 2852

the color image forming apparatus and for when the image forming apparatus is being used as the monochrome image forming apparatus.

Group II, claim(s) 9, drawn to an image forming apparatus wherein the technical feature of the claimed invention is timing for moving the predetermined developing unit to the attach/detach position is after forming images based on the medium-unit jobs which have already been generated when an event occurs in which development cannot be performed with any of the attached developing units.

Group III, claim(s) 10, drawn to a computer-readable medium for making an image forming apparatus wherein among other things the technical feature of the claimed invention is a code for moving, in a case where the image forming apparatus is being used as the color image forming apparatus, a predetermined developing unit to the attach/detach position at a predetermined timing when an event occurs in which development cannot be performed by the predetermined developing unit; and a code for moving, in a case where the image forming apparatus is being used as the monochrome image forming apparatus, the predetermined developing unit to the attach/detach position at a timing different from the predetermined timing

Art Unit: 2852

when an event occurs in which development cannot be performed by the predetermined developing unit.

Group IV, claim(s) 11, drawn to an image forming system comprising among other things the technical feature of the claimed invention is a computer and an image forming apparatus wherein the timing for moving a predetermined developing unit to the attach/detach position when an event occurs in which development cannot be performed by the predetermined developing unit is different for when the image forming apparatus is being used as the color image forming apparatus and for when the image forming apparatus is being used as the monochrome image forming apparatus.

Group V, claim(s) 13-21, 24, 25, drawn to an image forming apparatus including among other elements the technical feature of the claimed invention is an announcing section and a timing for announcing, through the announcing section, information indicating an event when an event occurs in which development cannot be performed by the predetermined developing unit is different for when the image forming apparatus is being used as the color image forming

Art Unit: 2852

apparatus and for when the image forming apparatus is being used as the monochrome image forming apparatus.

Group VI, claim(s) 22, drawn to an image forming apparatus comprising among other elements the technical feature of the claimed invention is an announcing section and when an event occurs in which development cannot be performed by the predetermined developing unit, the information indicating the event is announced through the announcing section after moving the other developing unit, with which development can be performed, to a position of the predetermined developing unit and forming images according to all the medium-unit jobs generated by the image-forming job using the moved developing unit.

Group VII, claim(s) 23, drawn to a computer-readable medium for making an image forming apparatus operate, the image forming apparatus comprising among other elements the technical feature of the claimed invention is a code for announcing, when an event occurs in which development cannot be performed by a predetermined developing unit, information indicating the event through the announcing section at a predetermined timing in a case where the image forming apparatus is being used as the color image forming apparatus; and a code for

Art Unit: 2852

announcing, when an event occurs in which development cannot be performed by the predetermined developing unit, information indicating the event through the announcing section at a timing different from the predetermined timing in a case where the image forming apparatus is being used as the monochrome image forming apparatus.

Group VIII, claim(s) 24, drawn to an image forming system comprising a computer body and an image forming apparatus including among other elements the technical feature of the claimed invention is an announcing section and a timing for announcing, through the announcing section, information indicating an event when an event occurs in which development cannot be performed by the predetermined developing unit is different for when the image forming apparatus is being used as the color image forming apparatus and for when the image forming apparatus is being used as the monochrome image forming apparatus.

Group IX, claim(s) 26-33, drawn to an image forming apparatus for forming images comprising among other elements the technical feature of the claimed invention is an operation for moving a predetermined developing unit to the attach/detach position when an event occurs in which development cannot be performed by the predetermined developing unit is different for



Art Unit: 2852

when the image forming apparatus is being used as the color image forming apparatus and for when the image forming apparatus is being used as the monochrome image forming apparatus.

Group X, claim(s) 34, drawn to an image forming apparatus comprising wherein the technical feature of the claimed invention concerns a single medium print generation including whether or not to perform image forming based on rotation time of the developer bearing roller.

Group XI, claim(s) 38-50, drawn to an image forming apparatus comprising among other elements the technical feature of the claimed invention is a plurality of attach/detach sections wherein a predetermined operation is executed based on information indicating a state of the developing unit and the predetermined operation is executed when an event in which all of the attached developing units have entered a predetermined state based on the information.

Group XII, claim(s) 51, drawn to a computer-readable medium for making an image forming apparatus operate, the image forming apparatus including among other elements the technical feature of the claimed invention is a code for executing, in a case where the image forming apparatus which executes a predetermined operation based on information indicating a state of the developing unit is being used as the monochrome image forming apparatus, the

Art Unit: 2852

predetermined operation when an event in which all of the attached developing units have entered a predetermined state is detected based on the information.

Group XIII, claim(s) 52, drawn to an image forming system comprising among other elements the technical feature of the claimed invention is a computer and an image forming apparatus wherein a predetermined operation is executed when an event in which all of the attached developing units have entered a predetermined state is detected based on the information, when the image forming apparatus is being used as the monochrome image forming apparatus.

Group XIV, claim(s) 53, drawn to an image forming method comprising:

(a) in a case where the image forming apparatus is being used as a monochrome image forming apparatus for forming a monochrome image by developing a latent image borne by an image bearing member using developer contained in developing units, in a state in which the developing units which contain developer of the same color for developing the latent image borne by the image bearing member are attached to at least two attach/detach sections of a plurality of attach/detach sections to and from which the developing units for developing the latent image can be attached and detached,

Art Unit: 2852

a step of detecting, based on information indicating a state of the developing unit, an event in which all the attached developing units have entered a predetermined state; and(b) a step of executing a predetermined operation when the event is detected.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to G.M. HYDER whose telephone number is (571)270-3896. The examiner can normally be reached on 8 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on 571-272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David M Gray/  
Supervisory Patent Examiner,  
Art Unit 2852

GH 1/4/11